

## **REMARKS**

The Office Action mailed June 28, 2004 has been carefully considered. Claims 21-52 are pending. Reconsideration of the present application in view of the following remarks is respectfully requested.

### **I. DOUBLE PATENTING REJECTION**

Claims 21, 26-42, 47, and 52 have been rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-20 of U.S. Patent No. 6,743,463.

While not agreeing with this rejection, attorneys for applicants submit herewith a Terminal Disclaimer Under 37 C.F.R. § 1.321(c) with respect to U.S. Patent No. 6,743,463 with the necessary fee to overcome the double patenting rejection. Common ownership of the present application and United States Patent No. 6,743,463 is established in the Terminal Disclaimer. Such Terminal Disclaimer is believed to obviate this rejection.

### **II. ALLOWABLE SUBJECT MATTER**

The Examiner has objected to claims 22-25, 43-46, and 48-51 as being dependent upon a rejected base claim, but has stated they these claims would be allowable if rewritten in independent form. Claims 22-25 depend upon claim 21, claims 43-46 depend upon claim 37, and claims 48-51 depend upon claim 47. It is respectfully submitted that the rejection of base claims 21, 37, and 47 is obviated by the submission of the attached Terminal Disclaimer. Thus, since the rejection of the base claims has been overcome and such claims are believed to be allowable, it is respectfully submitted that dependent claims 22-25, 43-46, and 48-51 are also allowable.

### **III. CONCLUSION**

As the claim rejections have been overcome, all claims are believed to be in condition for allowance. An early notice to that effect would be appreciated. Should the Examiner not agree with applicants' position, then a personal telephonic interview is

respectfully requested to discuss any remaining issues and expedite the eventual allowance of the application.

Date: September 1, 2004

Respectfully submitted,

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Enclosures